

FILED: **4/21/16**

U.S. DISTRICT COURT
EASTERN DISTRICT COURT
DAVID A. O'TOOLE, CLERK

NOTE: This disposition is nonprecedential.

United States Court of Appeals for the Federal Circuit

KROY IP HOLDINGS, LLC,
Plaintiff-Appellant

v.

SAFEWAY, INC.,
Defendant-Appellee

2015-1782

Appeal from the United States District Court for the Eastern District of Texas in No. 2:12-cv-00800-WCB, Circuit Judge William C. Bryson.

JUDGMENT

TIMOTHY P. MALONEY, Fitch, Even, Tabin & Flannery, Chicago, IL, argued for plaintiff-appellant. Also represented by JOSEPH F. MARINELLI, ALISON AUBRY RICHARDS, NICOLE L. LITTLE; STEVEN C. SCHROER, Boulder, CO.

JAMES CHRISTOPHER MARTIN, Reed Smith LLP, Pittsburgh, PA, argued for defendant-appellee. Also represented by KIRSTEN RYDSTROM; GERARD M. DONOVAN, Washington, DC; CHRISTINE M. MORGAN, WILLIAM ROSS OVEREND, San Francisco, CA.

THIS CAUSE having been heard and considered, it is

ORDERED and ADJUDGED:

PER CURIAM (NEWMAN, SCHALL, and CHEN, *Circuit Judges*).

AFFIRMED. *See Fed. Cir. R. 36.*

ENTERED BY ORDER OF THE COURT

April 21, 2016

Date

/s/ Daniel E O'Toole

Daniel E. O'Toole

Clerk of Court